

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TREMONT SECURITIES LAW,
STATE LAW AND INSURANCE
LITIGATION

Master File No.
08 Civ. 11117 (TPG)
ECF Case

This Documents Relates to: Insurance Action
09 Civ. 557

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

2011 FEB 22 AM 11:04
S.D. OF N.Y.

FILED
DISTRICT COURT

FEB 22 2011

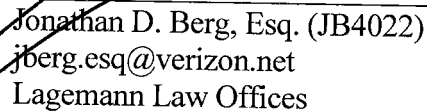
PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Jonathan D. Berg, a member in good standing of the bar of this Court, hereby moves for an Order allowing the admission pro hac vice of:

Applicant's Name: Robert A. Chapman
Firm Name: Chapman Spingola, LLP
Address: 77 West Wacker Drive, Suite 4800
City/State/Zip: Chicago, IL 60601
Phone Number: (312) 630-9202
Fax Number: (312) 630-9233

Robert A. Chapman is a member in good standing of the Bar of the States of Illinois. There are no pending disciplinary proceedings against Robert A. Chapman in any State or Federal court.

Dated: February 22, 2011
City, State: New York, New York

Respectfully submitted,


Jonathan D. Berg, Esq. (JB4022)
jberg.esq@verizon.net
Lagemann Law Offices
300 East 42nd Street, 10th Floor
New York, NY 10017
Tel: (212) 599-0990
Fax: (212) 922-0518

*Attorneys for Cummins Inc., as the authorized
representative of the Cummins Inc. Grantor Trust
dated September 10, 2007, as amended*

930079

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**AFFIDAVIT OF JONATHAN D.
BERG IN SUPPORT OF MOTION
TO ADMIT COUNSEL PRO HAC
VICE**

State of New York)
) ss:
County of New York)

Jonathan D. Berg, being duly sworn, hereby deposes and says as follows:

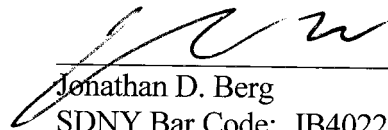
1. I am an attorney at Lagemann Law Offices, counsel for Plaintiff Cummins Inc., as the authorized representative of the Cummins Inc. Grantor Trust dated September 10, 2007, as amended ("Cummins"), relating to the action captioned Cummins Inc., as the authorized representative of the Cummins Inc. Grantor Trust dated September 10, 2007, as amended v. New York Life Ins. Co. et al, former Docket No. 10-cv-9252, and subsequently consolidated with the "Insurance Action" under Docket No. 09-cv-557, by order dated February 9, 2011 by the Honorable Thomas P. Griesa, United States District Judge. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff Cummins' motion to admit Robert A. Chapman as counsel pro hac vice to represent Plaintiff Cummins in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1997. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Robert A. Chapman since 2010.
4. Mr. Chapman is a partner at the law firm Chapman Spingola, LLP in Chicago, IL.
5. I have found Mr. Chapman to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move for the admission of Robert A. Chapman, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Robert A. Chapman, pro hac vice, which is attached hereto as Exhibit A.


WHEREFORE it is respectfully requested that the motion to admit Robert A. Chapman, pro hac vice, to represent Plaintiff Cummins in the above captioned matter, be granted.

Dated: February 22, 2011
City, State: New York, New York

Respectfully submitted,


Jonathan D. Berg
SDNY Bar Code: JB4022

Subscribed and sworn to before me
this 22nd day of February, 2011.


Notary Public

MARTIN NOVACK
Notary Public, State of New York
No 31-8162560
Qualified in New York County
Term Expires March 30, 2013

Certificate of Admission To the Bar of Illinois

I, Carolyn Taft Grosboll, Clerk of the Supreme Court of Illinois, do hereby certify that

Robert Andrew Chapman

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 7, 1985 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto
placed my hand and affixed the seal
of said Supreme Court, at Springfield,
in said State, this Monday, January 24, 2011.

Carolyn Taft Grosboll

Clerk

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**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Jonathan D. Berg, attorney for Plaintiff Cummins Inc., as the authorized representative of the Cummins Inc. Grantor Trust dated September 10, 2007, as amended and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: Robert A. Chapman
Firm Name: Chapman Spingola, LLP
Address: 77 West Wacker Drive, Suite 4800
City/State/Zip: Chicago, IL 60601
Phone Number: (312) 630-9202
Fax Number: (312) 630-9233
Email Address: rchapman@chapmanspingola.com

is admitted to practice pro hac vice as counsel for Plaintiff Cummins Inc., as the authorized representative of the Cummins Inc. Grantor Trust dated September 10, 2007, as amended in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:
City, State:

United States District/Magistrate Judge

CERTIFICATE OF SERVICE

Jonathan D. Berg, an attorney admitted to practice law in the State of New York, hereby certifies under penalty of perjury, that on February 22, 2011 I caused copies of the annexed Motion to be served upon the parties listed below by First Class Mail.

David A. Kotler, Esq.
Dechert, LLP
Suite 500
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Carol E. Head, Esq.
Bingham McCutchen LLP
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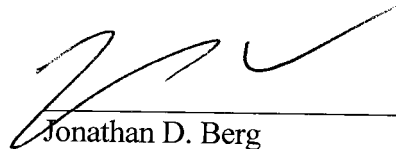
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Zolfo Cooper
P.O. Box 1102 GT
4th Floor, Building 3
Cayman Financial Centre,
Grand Cayman, KY1 1102, Cayman Islands

Dated: New York, New York
February 22, 2011



Jonathan D. Berg